

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

DANIEL B. GRAVES,  Plaintiff,  v.  DEUTSCHE BANK SECURITIES, INC.,  Defendant.	<b>CIVIL ACTION NO.</b> <b>1:07-cv-05471-BSJ-KNF</b>
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**DECLARATION OF RICHARD T. SEYMOUR IN  
OPPOSITION TO DEFENDANT’S MOTION FOR  
SANCTIONS**

Washington, D.C., ss:

I make the following declaration subject to the penalties for perjury:

1. I am one of the attorneys of record for plaintiff in this action.
2. Attachment A hereto is a true and correct copy of plaintiff’s proposed Second Amended and Supplemental Complaint (“proposed Complaint”).
3. Exhibit 1 to the proposed Complaint is a true and correct copy of defendant’s November 5, 2004, letter to the U.S. Equal Employment Opportunity Commission (“EEOC”), providing its Position Statement and transmitting its Exhibits A through T. Plaintiff obtained this document from the EEOC and produced it in discovery. Only the letter is included in Exhibit 1.
4. Exhibit 2 to the proposed Complaint is a true and correct copy of defendant’s Exhibit C to its November 5, 2004, Position Statement. Plaintiff obtained this document from the EEOC and produced it in discovery.

5. Exhibit 3 to the proposed Complaint is a true and correct copy of defendant's Exhibit F to its November 5, 2004, Position Statement. Plaintiff obtained this document from the EEOC and produced it in discovery.

6. Exhibit 4 to the proposed Complaint is defendant's full January 15, 2003, Franchise Pipeline Revenues report produced by defendant in discovery on February 28, 2008, and Bates-numbered DB 596 through DB 618. Defendant has consented that this document may be filed as an open attachment, and not under seal.

7. Exhibit 5 to the proposed Complaint is defendant's full January 8, 2004, Franchise Pipeline Revenues report produced by defendant in discovery on February 28, 2008, and Bates-numbered DB 837 through DB 844. Defendant has consented that this document may be filed as an open attachment, and not under seal.

8. Exhibit 6 hereto is a copy of my May 29, 2008, e-mail to defense counsel stating that plaintiff was withdrawing the backdating allegations in the Complaint.

9. Exhibit 7 hereto is a copy of my May 30, 2008, e-mail to defense counsel stating that plaintiff was reviewing all of the allegations of the Complaint in light of the discovery produced to date, and expected to move to amend the Complaint.

10. Exhibit 8 hereto is a copy of Defendant's Objections and Responses to the Document Requests in Plaintiff's First Requests for Discovery.

11. Exhibit 9 hereto is a copy of my March 18, 2008, letter to defense counsel.

12. Exhibit 10 hereto is a copy of my May 9, 2008, letter to defense counsel..

/s/ Richard T. Seymour  
Richard T. Seymour (RS-8094)

Dated: June 16, 2008